

IN THE CLAIMS

Cancel claims 1-33 without prejudice or disclaimer and add new claim 34 as follows:

Claims 1-33 (Canceled)

34. (New) A recording apparatus for recording information to a recording medium comprising:

a laser beam for irradiating to the recording medium, the medium capable of being set in a first state at a first power level and in a second state at a second power level higher than the first power level;

means for changing a duration of the first power level in accordance with a relative speed between the laser beam and the recording medium; and

means for irradiating with the second power level after the first power level.